

Remarks

In the Office Action, the Examiner noted that claims 1-28 are pending in the application, that claims 9, 11-13 and 17-24 are withdrawn from consideration and that claims 1-8, 10, 14-16 and 25-28 are rejected. By this amendment, claims 1 and 25-28 have been amended and claims 29-31 are new. Thus claims 1-31 are pending in the application.

Rejection Under 35 USC 112, First Paragraph

Claims 25-28 are rejected under 35 U.S.C. 112, first paragraph, because the specification does not provide enablement for all disorders or conditions recited therein.

Amended claims 25-28 are drawn to a limited list of disorders or conditions which are reasonably expected by those skilled in the art to benefit by treatment with compounds of the present invention. Applicants make no claim to cure or disappearance of symptoms related to the claimed disorders, but rather claim a method of treating which is reasonable in light of the proven binding efforts of the claimed compounds on nicotinic receptor sites. Thus, for these reasons, applicant respectfully submits that amended claims 25-28 are enabled by the specification. Withdrawal of this rejection is respectfully requested.

Claim Rejections – 35 USC 102

Claims 1, 10 and 25-28 are rejected under 35 U.S.C. 102 (b) as being anticipated by Bromidge et al. WO 99/42465.

In Bromidge et al, the group E which links P-A and the substituted phenyl group is always a sulphonamide.

In the present invention, R₁-R₅ in independent claim 1 is the linking group corresponding to the group E in Bromidge et al. In amended claim 1 the definition of R₁-R₅ excludes sulphonamide, both substituted and unsubstituted. Thus, amended claim 1 does not read on the Bromidge et al reference. Withdrawal of this rejection is respectfully requested.

Dependant claims 2-8, 10, 14-16 and 25-28 which depend directly from independent claim 1 incorporate the same limitation as claim 1.

For the reason discussed above, applicant respectfully submits that dependant claims 2-8, 10, 14-16 and 25-28 patentably distinguish over Bromidge et al. Withdrawal of this rejection is respectfully requested.

Conclusion

For all the reasons advanced above, applicant respectfully submits that the application is in condition for allowance and that action is earnestly solicited.

Respectfully submitted,

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